

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LEANDRA DECKER,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security
Administration,

Defendant.

No. 1:16-CV-03007-RHW

**ORDER GRANTING MOTION FOR
REMAND**

Before the Court is a Stipulated Motion for Remand, ECF No. 14. The motion was heard without oral argument. Attorney D. James Tree represents Ms. Decker and Special Assistant United States Attorney Ryan Lu represents Defendant (“the Commissioner”).

The parties jointly move the Court for an order reversing the Commissioner’s decision and remanding the above-captioned matter for further administrative proceedings. ECF No. 14. On remand, Ms. Decker will be afforded a new hearing and a new decision regarding her application for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act.

Based on the agreement of the parties and the record, the Court finds good cause to grant the stipulated motion to remand this matter. Accordingly, the

ORDER GRANTING MOTION FOR REMAND ~ 1

1 Commissioner's decision to deny Plaintiff's application for disability benefits is
2 REVERSED and REMANDED for further proceedings including a *de novo*
3 hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the
4 Appeals Council will direct the Administrative Law Judge ("ALJ") to complete the
5 following: (1) a reassessment of Ms. Decker's impairments, including her alleged
6 migraine headaches and gastrointestinal impairments; (2) reevaluation of the
7 opinion evidence in the record, including but not limited to the opinion of
8 treatment provider Jennifer Williams, PA-C; (3) reevaluation of Ms. Decker's
9 residual functional capacity; and (4) further consideration of the remaining steps of
10 the sequential evaluation process, including a reassessment of Ms. Decker's ability
11 to perform past work at step four, with consideration of supplemental vocational
12 expert testimony as necessary.

13 Upon proper presentation, the Court will consider Ms. Decker's application
14 for costs and attorney's fees under 28 U.S.C. § 2412(d).

15 Accordingly, **IT IS HEREBY ORDERED:**

16 1. The Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**.

17 2. The Commissioner's decision is **REVERSED** and this matter is
18 **REMANDED** for further administrative proceedings consistent with this order.

19 3. The District Court Executive shall enter judgment for Plaintiff and against
20 Defendant.

21 4. All pending motions shall be terminated.

22 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
23 Order, forward copies to counsel, and **close the file**.

24 **DATED** this 26th day of August, 2016.

25
26 s/Robert H. Whaley
27 ROBERT H. WHALEY
28 Senior United States District Judge